

# Notice of Allowability

Application No.

10/062,977

Examiner

Anthony Sol

Applicant(s)

ALONSO ET AL.

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 8/18/2006.
2. ☒ The allowed claim(s) is/are 1-3,5-8,12-14,16-18,27-29,31-34 and 36-39, renumbered 1-24, respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**CHAU NGUYEN**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Keith Lutsch on 11/3/2006.

The application has been amended as follows:

- Claims 2, 13, and 33 has been amended as follows:

Delete lines 3 and 4.

- Claim 1 has been amended as follows:

On lines 5 and 7, the phrase "adapted to transmit and receive" has been replaced with "for transmitting and receiving".

On line 10, the phrase "adapted to analyze and respond" has been replaces with "for analyzing and responding".

On line 13, the phrase "adapted to analyze" has been replaces with "for analyzing".

On line 16, the term "adapted to manage" has been replaced with "for managing".

- Claim 7 has been amended as follows:

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On lines 5 and 7, the phrase "adapted to transmit and receive" has been replaced with "for transmitting and receiving".

On line 10, the phrase "adapted to analyze and respond" has been replaced with "for analyzing and responding".

- Claim 12 has been amended as follows:

On lines 5 and 6, the phrase "adapted to logically manage" has been replaced with "for logically managing".

On lines 9 and 12, the phrase "adapted to communicate" has been replaced with "for communication".

On lines 14 and 16, the phrase "adapted to transmit and receive" has been replaced with "for transmitting and receiving".

On line 19, the phrase "adapted to analyze and respond" has been replaced with "for analyzing and responding".

On line 22, the phrase "adapted to analyze" has been replaced with "for analyzing".

On line 25, the phrase "adapted to manage" has been replaced with "for managing".

- Claim 17 has been amended as follows:

On line 1, the status identifier "Original" has been replaced with "Currently Amended".

On lines 5 and 6, the phrase "adapted to logically manage" has been replaced with "for logically managing".

On lines 9 and 12, the phrase "adapted to communicate" has been replaced with "for communication".

On line 14 and 16, the phrase "adapted to transmit and receive" has been replaced with "for transmitting and receiving".

On line 19, the phrase "adapted to analyze and respond" has been replaces with "for analyzing and responding".

- Claim 32 has been amended as follows:

On lines 4 and 6, the phrase "adapted to transmit and receive" has been replaced with "for transmitting and receiving".

On line 9, the phrase "adapted to analyze and respond" has been replaces with "for analyzing and responding".

On line 12, the phrase "adapted to analyze" has been replaces with "for analyzing".

On line 15, the phrase "adapted to manage" has been replaced with "for managing".

- Claim 38 has been amended as follows:

On lines 4 and 6, the phrase "adapted to transmit and receive" has been replaced with "for transmitting and receiving".

On line 9, the phrase "adapted to analyze and respond" has been replaced with "for analyzing and responding".

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- US2004/0260875A1 (Murotani) teaches data storage system and method of hierarchical control thereof
- US2003/0172239A1 (Swank) teaches storage area network methods and apparatus for identifying fiber channel devices in kernel mode
- US6775230B1 (Watanabe) teaches transmitting frames via a switch in a storage area network
- US2002/0194407A1 teaches maintaining fabric device configuration through dynamic reconfiguration

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Sol whose telephone number is (571) 272-5949. The examiner can normally be reached on M-F 7:30am - 4pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AMS

11/3/2006